

# Office Action Summary

Application No.

09/203,513

Applicant(s)

AIYAMA, KENJI

Examiner

Ashanti Ghee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-13 and 15-34 is/are pending in the application.
- 4a) Of the above claim(s) 19-32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-13,15-18,33 and 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to the following communications: amendment B filed on 3/11/03.
2. This application has been reconsidered. Claims 1-5, 7-13, 15-18, 33 and 34 are pending.

***Election/Restrictions***

3. Newly submitted claims 19-32 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 19-32 disclose a confirmation means for confirming the validity of the inputted user identification, document identification information on document data as well as address information, and a first and second obtaining means for obtaining user identification and document data information.
4. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 19-32 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Claim Objections***

5. Claim 10 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim 10 has not been further treated on the merits.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Takimoto (US Patent No. 6,202,092 B1).

Regarding claim 1, Takimoto discloses an image processing apparatus for performing image formation based on image-formation data, said image processing apparatus (printer 3; col. 4, lines 4-12) causing a job data (document; col. 3, lines 52-58) to include said image-formation data (print job information reads on image-formation data; col. 4, lines 51-54) and a communication procedure (network drivers 12 and 21 read on communication procedure) for communicating with an external unit (server computer 1 reads on external unit; col. 3, lines 44-col. 4, lines 1-60), and controlling

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(document processing portion 22e reads on controlling; col. 5, lines 20-30) said image formation (print processing reads on image formation) in accordance with a result of communicating (evident in if printing is authorized; col. 5, lines 20-30) with said external unit (server computer 2; col. 3, lines 44-col. 4, lines 1-60) based on said communication procedure (12 and 21) in said job data (document reads on job data; col. 3, lines 44-col. 4, lines 1-60), wherein said communication procedure (12 and 21) is a restriction procedure (security validation portion 22b reads on restriction procedure) for restricting the use of said image processing apparatus (printer) for each user (col. 3, lines 44-col. 4, lines 1-60).

Regarding claim 3, Takimoto discloses an image processing apparatus wherein said communication procedure (network drivers 12 and 21 read on communication procedure) determines whether or not said image processing apparatus (printer) allows a user (user) to print, by referring to the number of sheets (number of pages to print) of information the user already has printed and the number of sheets of information which can be printed by the user (col. 5, lines 47-col. 6, lines 1-23), stored in said external unit (col. 3, lines 44-col. 6, lines 1-23).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 5, 7, 11-12, 17,18, and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takimoto (US Patent No. 6,202,092 B1).

Regarding claim 5, the first embodiment of Takimoto does not specifically disclose Takimoto discloses an image-formation-history management unit. However, the second embodiment of Takimoto discloses an image processing apparatus wherein said communication procedure (network adapter 51 reads on communication procedure) is a procedure for communicating with an image-formation-history management unit (server computer 2 reads on image-formation-history management unit) for recording the history of the utilizing condition (statistical information managing portion 54 reads on recording the history of the utilizing condition) of said image processing apparatus (printer) for each user (col. 6, lines 24-col. 7, lines 1-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would modify the first and second embodiments of Takimoto due to Takimoto disclosing a print system authorizing each user to use a printer based on the number of sheets to be printed, the kinds of sheets, and special printing functions to provide a system where restrictions can be placed on the cumulative number of pages printed or usable printing function with respect to every user.

Regarding claim 7, the first embodiment of Takimoto does not specifically disclose Takimoto discloses a restriction on the number of formed images. However, the second embodiment of Takimoto discloses an image processing apparatus wherein said restriction procedure (print validation means 53 reads on restriction procedure)

restricts based on the number of formed images (evident that the number of printable pages can include the number of formed images) the use of said image processing apparatus (col. 6, lines 24-col. 7, lines 1-41).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would modify the first and second embodiments of Takimoto due to Takimoto disclosing a print system authorizing each- user to use a printer based on the number of sheets to be printed, the kinds of sheets, and special printing functions to provide a system where restrictions can be placed on the cumulative number of pages printed or usable printing function with respect to every user.

Regarding claim 11, the first embodiment of Takimoto discloses an image processing apparatus connected to an external unit via a network, said image processing apparatus comprising: communicating means (network drivers 12 and 21 read on communication means) for communicating with said external unit (server computer 1 reads on external unit); image processing means (drawing processing portion 22e reads on image processing means) for generating image data from image-formation data (prints the requested pages reads on generating image data from image-formation data; col. 4, lines 4-12); image output means (printer 5 reads on image output means) for outputting (prints reads on outputting) to a medium (requested pages read on medium) images based on said image data (col. 3, lines 44-col. 4, lines 1-60); and control means (22e) for controlling said image processing means (5) and said image output means (col. 3, lines 44-col. 4, lines 1-60); wherein said communication means

(12 and 21) receives a job data (document reads on job data) including said image-formation data (information reads on image-formation data) and a procedure for communicating (network drivers 12 and 21 read on communicating) with said external unit (server computer 2 reads on external unit; col. 3, lines 44-col. 4, lines 1-60), and said control means (security validating portion 22b reads on control means) executes said procedure in said job data to communicate with said external unit (col. 3, lines 44-col. 4, lines 1-60), whereby controlling (drawing processing portion 22e reads on controlling the image-output processing) the image-output processing based on said image-formation data in accordance with a result of the communication with said external unit (col. 3, lines 44-col. 4, lines 1-60), and said external unit (server computer 4) is an image-formation-history management unit (server computer 4) for recording the history of the utilizing condition of said image processing apparatus for each user, and for restricting the use of said image processing apparatus based on the number of images formed (col. 5, lines 21-col. 6, lines 1-23).

Although the first embodiment of Takimoto fails to disclose the job data to be transmitted by a print server, the second embodiment of Takimoto discloses wherein the job data is not required to be transmitted via a print server (Fig. 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would modify the first and second embodiments of Takimoto due to Takimoto disclosing a print system authorizing each- user to use a printer based on the number of sheets to be printed, the kinds of sheets, and special printing functions to provide a system where restrictions can be placed on the

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cumulative number of pages printed or usable printing function with respect to every user.

Regarding claim 12, the first embodiment of Takimoto does not specifically disclose image processing apparatus connected to a network. However, the second embodiment of Takimoto discloses an image processing apparatus wherein an apparatus for supplying said job data to said image processing apparatus is connected to said network (evident that connection to a network based on the network adapter 51; Fig. 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would modify the first and second embodiments of Takimoto due to Takimoto disclosing a print system authorizing each- user to use a printer based on the number of sheets to be printed, the kinds of sheets, and special printing functions to provide a system where restrictions can be placed on the cumulative number of pages printed or usable printing function with respect to every user.

Regarding claim 17, the first embodiment of Takimoto discloses a machine-readable recording medium containing a program for controlling an image processing apparatus forming images based on image-formation data, said program comprising: code for a reception step, of receiving from the exterior (user application; col. 3, lines 52-58) a job data (document reads on job data; col. 3, lines 52-58) including said image formation data (information reads on image formation data; col. 3, lines 52-58) and procedure for predetermined processing (usable printer functions reads on



predetermined processing; col. 3, lines 44-col. 4, lines 1-60); and code for a control step (drawing processing portion 22e reads on control step), of controlling image formation in accordance with the received procedure (col. 3, lines 44-col. 4, lines 1-60 and col. 5, lines 21-30), and the received procedure is a restriction (security validating portion 22b reads on restriction) for restricting the use of said image processing apparatus (col. 3, lines 44-col. 6, lines 1-23).

Although the first embodiment of Takimoto does not disclose the job data is not required to be transmitted by a print server, the second embodiment of Takimoto discloses wherein the job data is not required to be transmitted via a print server (Fig. 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would modify the first and second embodiments of Takimoto due to Takimoto disclosing a print system authorizing each- user to use a printer based on the number of sheets to be printed, the kinds of sheets, and special printing functions to provide a system where restrictions can be placed on the cumulative number of pages printed or usable printing function with respect to every user.

Regarding claim 18, the first embodiment of Takimoto discloses a machine-readable recording medium containing a program controlling an image processing apparatus forming images based on image-formation data, said program comprising: code for an include step, of causing job data (document reads on job data; col. 3, lines 53-58) to include said image formation data (information reads on image formation data;

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col. 3, lines 53-58) and a communication procedure (network drivers 12 and 21 read on communication procedure; col. 3, lines 53-58) for communicating with an external unit (server computer 2 reads on external computer; col. 3, lines 44-col. 4, lines 1-60); and code for a control step (drawing processing portion 22b reads on control step; col. 5, lines 21-30), of controlling said image formation in accordance with a result of communication (evident in if printing is authorized; col. 5, lines 20-30) with said external unit (server computer 2; col. 3, lines 44-col. 4, lines 1-60) based on said communication procedure (12 and 21) included in said job data (col. 3, lines 44-col. 4, lines 1-60), and said communication procedure (12 and 21) is a restriction procedure for restricting the use of said image processing apparatus (col. 3, lines 44-col. 6, lines 1-23).

Although the first embodiment of Takimoto does not specifically disclose the job data is not required to be transmitted by a print server, the second embodiment of Takimoto discloses wherein the job data is not required to be transmitted via a print server (Fig. 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would modify the first and second embodiments of Takimoto due to Takimoto disclosing a print system authorizing each- user to use a printer based on the number of sheets to be printed, the kinds of sheets, and special printing functions to provide a system where restrictions can be placed on the cumulative number of pages printed or usable printing function with respect to every user.

Regarding claim 33, the first embodiment of Takimoto discloses an image processing method for controlling image processing apparatus performing image formations based on image-formation data, said image processing method comprising: an include step, of causing job data (document reads on job data; col. 3, lines 53-58) to include said image formation data (information reads on image formation data; col. 3, lines 53-58) and a communication procedure (network drivers 12 and 21 read on communication procedure; col. 3, lines 53-58) for communicating with an external unit (server computer 2 reads on external unit; col. 3, lines 44-col. 4, lines 1-60); and a control step (drawing processing portion 22b reads on control step; col. 5, lines 21-30), of controlling said image formation in accordance with a result of communication (evident in if printing is authorized; col. 5, lines 20-30) with said external unit (server computer 2; col. 3, lines 44-col. 4, lines 1-60) based on said communication procedure (12 and 21) included in said job data (col. 3, lines 44-col. 4, lines 1-60), and said communication procedure (12 and 21) is a restriction procedure for restricting the use of said image processing apparatus (col. 3, lines 44-col. 6, lines 1-23).

Although the first embodiment of Takimoto does not specifically disclose the job data is not required to be transmitted by a print server, the second embodiment of Takimoto discloses wherein the job data is not required to be transmitted via a print server (Fig. 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would modify the first and second embodiments of Takimoto due to Takimoto disclosing a print system authorizing each user to use a

printer based on the number of sheets to be printed, the kinds of sheets, and special printing functions to provide a system where restrictions can be placed on the cumulative number of pages printed or usable printing function with respect to every user.

Regarding claim 34, the first embodiment of Takimoto discloses an image processing method for controlling an image processing apparatus connected to an external unit via a network, said image processing method comprising: a communication step, of communicating with said external unit (server computer 2 reads on external unit; Fig. 4); an image processing step, of generating image data from image-formation data (prints the requested pages reads on generating image data from image-formation data; col. 4, lines 4-12); an image output step, of outputting (prints reads on outputting) to a medium (requested pages) images based on said image data (col. 3, lines 44-col. 4, lines 1-60); a control step, of controlling said image processing means (drawing processing portion 22e reads on image processing means) and said image output means (printer 3 reads on image output means; col. 3, lines 44-col. 4, lines 1-60); wherein said communication means (network drivers 12 and 21 read on communication means) receives a job data (document reads on job data) including said image-formation data (information reads on image-formation data) and a procedure for communicating (network drivers 12 and 21 read on communicating) with said external unit (server computer 2 reads on external unit; col. 3, lines 44-col. 4, lines 1-60), and said control means (security validating portion 22b reads on control means) executes said procedure in said job data to communicate with said external unit (col. 3, lines 44-

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col. 4, lines 1-60), whereby controlling (drawing processing portion 22e reads on controlling the image-output processing) the image-output processing based on said image-formation data in accordance with a result of the communication with said external unit (col. 3, lines 44-col. 4, lines 1-60), and said external unit (server computer 2 reads on external unit) is an image-formation-history management unit (2) for recording the history of the utilizing condition of said image processing apparatus for each user, and for restricting the use of said image processing apparatus based on the number of images formed (col. 3, lines 44-col. 6, lines 1-23).

Although the first embodiment of Takimoto does not specifically disclose the job data is not required to be transmitted by a print server, the second embodiment of Takimoto discloses wherein the job data is not required to be transmitted via a print server (Fig. 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would modify the first and second embodiments of Takimoto due to Takimoto disclosing a print system authorizing each user to use a printer based on the number of sheets to be printed, the kinds of sheets, and special printing functions to provide a system where restrictions can be placed on the cumulative number of pages printed or usable printing function with respect to every user.

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10. Claims 4, 8-9,13, and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takimoto (US Patent No. 6,202,092 B1) in view of Farros et al. (US Patent No. 5,930,810).

Regarding claim 4, Takimoto does not disclose a communication procedure is a procedure for communicating with a charge management unit. However, Farros discloses an image processing apparatus wherein said communication procedure is a procedure for communicating with a charging management unit (printing facility) for collecting charging information for charging each user for the utilizing condition of said image processing apparatus (col. 5, lines 3-32 and col. 11, lines 22-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would combine the teachings of Takimoto and Farros due to both references disclosing networked printing systems to provide a printing system which facilitates the creation of a variety of types of documents and the printing of a certain documents locally or at a remote printing facility.

Regarding claim 8, Takimoto does not disclose a communication procedure is used to pay a value. However, Farros discloses an image apparatus wherein said communication procedure is used to pay a value necessary for image formation (col. 5, lines 3-32).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would combine the teachings of Takimoto and Farros due to both references disclosing networked printing systems to provide a printing

system which facilitates the creation of a variety of types of documents and the printing of a certain documents locally or at a remote printing facility.

Regarding claim 9, Takimoto does not disclose the communication procedure is independent for each image to be formed. However, Farros discloses an image processing apparatus wherein said communication procedure is independent for each image to be formed (inherent that the communication procedure is independent of each formed image, i.e. the FDF, RPF, and EPS files contain information for the user to fully describe the visual layout of the product; col. 4, lines 37-58 and col. 15, lines 40-col. 16, lines 1-2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would combine the teachings of Takimoto and Farros due to both references disclosing networked printing systems to provide a printing system which facilitates the creation of a variety of types of documents and the printing of a certain documents locally or at a remote printing facility.

Regarding claim 13, Takimoto does not disclose the external unit is a charging management unit. However, Farros discloses an image processing apparatus wherein said external unit is a charging management unit for collecting charging information for charging each user for the utilizing condition of said image processing apparatus (col. 5, lines 3-32 and col. 11, lines 22-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would combine the teachings of Takimoto and Farros due to both references disclosing networked printing systems to provide a printing

system which facilitates the creation of a variety of types of documents and the printing of a certain documents locally or at a remote printing facility.

Regarding claim 15, Takimoto does not disclose the external unit is a charge collector. However, Farros discloses an image processing apparatus wherein said external unit is a charge collector for charging each user for a value necessary for image formation (column 5, lines 3-32).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would combine the teachings of Takimoto and Farros due to both references disclosing networked printing systems to provide a printing system which facilitates the creation of a variety of types of documents and the printing of a certain documents locally or at a remote printing facility.

Regarding claim 16, Takimoto does not disclose the job data is independent for each image formed. However, Farros discloses an image processing apparatus wherein said job data is independent for each image to be formed (column 4, lines 37-58 and column 15, lines 40-column 16, lines 1-2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made would combine the teachings of Takimoto and Farros due to both references disclosing networked printing systems to provide a printing system which facilitates the creation of a variety of types of documents and the printing of a certain documents locally or at a remote printing facility.



***Allowable Subject Matter***

11. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Bauer et al.** (US Patent No. 5,819,047) discloses a method for controlling resources usage by network identities.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashanti Ghee whose telephone number is (703) 306-3443. The examiner can normally be reached on Mon-Thurs and alt. Fri. (7-4PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

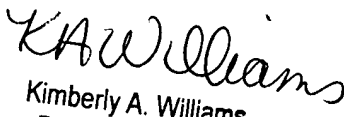
Ashanti Ghee

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